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7590 John R. Pivnichny, Ph.D. IBM Corporation, N50/040-4 1701 North Street Endicott, NY 13760			EXAMINER NGUYEN, CAM LINH T	
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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/042,403
Filing Date: January 09, 2002
Appellant(s): GODOY ET AL.

John R. Pivnichny
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 9/29/2006 appealing from the Office action mailed 1/3/05.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,018,627	IYENGAR	1-2000
5,724,556	SOUDEK	3-1998

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

* Claims 1, 6 - 10, 15 - 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Iyengar et al (U.S. 6,018,627).

• As per claim 1, 10, 19,

Iyengar discloses a method of updating business control data comprising:

- "Developing a model of business rules spanning a plurality of applications and building said rules into a common database" See Fig. 1 and 7, col. 3, lines 64 - 65, col. 4, lines 27 - 33. As noted above, a "common database" corresponds to the "repository 20" that stored business information or enterprise modeling. "Business rules" corresponds to the "business modeling" (col. 8, lines 45 - 49). Business rules are derived from the legacy item which including pre-existed applications (col. 3, lines 58 - 63). This includes the meaning of "spanning plurality of application". And the repository stores all business rules and relationship between them (col. 4, lines 28 - 33). This data corresponds to the common data between applications.
- "Entering business control data into said common database" See Fig. 7 - 9, col. 9, lines 23 - 48. "Business control data" corresponds to the "business logic data".

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- "Disseminating to a plurality of applications, respective portions of said business control data according to said business rules" col. 3, lines 1 - 2, col. 12, lines 35 - 51.

- As per claim 6 - 7, 15 - 16,

"Wherein said business control data is entered into said common database using a common data administration application" See Fig. 2B - 3, col. 7, lines 29 - 43. "A common data administration application" corresponds to the application window 35.

"Wherein said common data administration application is adapted to receive input from logged on individuals and from an automated feed from a source system" See Fig. 1. The "legacy integration" corresponds to the source system.

- As per claim 8 - 9, 17 - 18,

"Entering additional rules into said common data administration application" and

"Wherein said business control data is entered into said common database according to said additional rules" See Fig. 4 - 9.

Claim Rejections - 35 USC § 103

* The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to

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which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

* Claims 2 - 5, 11 - 14, are rejected under 35 U.S.C. 103(a) as being unpatentable over Iyengar et al (U.S. 6,018,627) in view of Souder et al (U.S. 5,724,556).

- As per claim 2 - 5, 11 - 14,

Iyengar discloses a system for developing business application using the Unified Modeling Language (UML). However, Iyengar does not clearly disclose: Rules are built to define a dissemination structure, wherein said structure has a plurality of instances of said common database; wherein said plurality of instances run on a corresponding plurality of servers located in corresponding geographical locations; wherein said geographical locations are in disparate continents.

Referring to col. 1, lines 21 - 45. Iyengar teaches that each rule or business model can be applied to a particular environment. Iyengar also teaches that the deployment of component over the Internet (col. 11, lines 16 - 46). Clearly, Iyengar implicitly teaches about the uses of plurality of servers located in disparate continents by using the Internet. Therefore, when building the business rules, the rules must define the dissemination structure.

On the other hand, Souder et al (U.S. 5,724,556) discloses a distributed system that includes a distributed modeler for defining business models wherein the business model comprising business locations and the business functions that occur at each business location

(See col. 11, lines 40 - 60, Souder). Souder discloses in Fig. 23 that each location only contains specified modules. The table in Fig. 23 corresponds the structure in the instance application. The

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plurality of instance corresponds to the plurality of location in the table. Each instance can be located in different sites (col. 1, lines 29 -42, Souder).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Souder into the invention of Iyengar because the combination would provide more control in accessing data in different nodes or locations (col. 4, lines 13 - 32, Souder).

(10) Response to Argument

In Appellant's Brief, filed September 29, 2006, Appellant argues a specific points:

"Iyengar does not disclose developing a model of business rules spanning a plurality of applications as clearly recited in Appellants' independent claims 1 and 19, or a business model having a plurality of applications as recited in independent claim 10".

EXAMINER'S RESPONSE TO APPELLANT'S ARGUMENT

Appellant's argument is unpersuasive for two reasons.

First, the term "spanning" does not define a particular relationship between pluralities of application. By definition, the term "spanning" means "the distance or space between two supports of a bridge". Therefore, when the claim called for "developing a model of business rules spanning a plurality of applications and building said rules into a common database", means that developing a model of business rules from plurality of applications into a common database.

Second, the Examiner disagrees with Appellant's description of Iyengar and its relationship to the claimed invention.

Iyengar teaches “ The developing process supported by the system may generally start with legacy integration, enterprise modeling, or domain modeling” (col. 2, lines 46 – 47)... “During legacy integration 26, legacy items are either discovered or transformed. Legacy items may include pre-existing application” (col. 3, lines 56 – 57 – 60)... “During the enterprise modeling 28 stage, business process models are created and saved in the repository 20” (col. 3, lines 64 – 65).

Clearly, Iyengar discloses a developing a model of business rules when Iyengar teaches “During the enterprise modeling 28 stage, business process models are created and saved in the repository 20” (col. 3, lines 64 – 65).

As specified in the Final rejection, “business rules” corresponds to the “business modeling” in Iyengar reference. Business rules are derived from the legacy item which including pre-existed applications (col. 3, lines 58 - 63). This includes the meaning of "spanning plurality of applications". And the repository stores all business rules and relationship between them (col. 4, lines 28 - 33). Iyengar discloses a process of application development (col. 3, line 57), from plurality of applications (pre—existing applications, col. 3, line 60) into a common database (Fig. 1, element 20). Built components are assembled into applications (col. 4, lines 15 – 20). In addition, Iyengar also teaches that the system also develops a Rational’s Unified Modeling Language (UML) object models (col. 5, lines 18 – 20), which is a neutral object model (col. 5, lines 30 - 35) that may be used for future standard models. The UML model may later be transformed into any other business process model or object model (col. 5, lines 38 - 39). This teaching also has the meaning of “spanning plurality of applications”.

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Clearly, Iyengar discloses, "developing a model of business rules spanning a plurality of applications (pre-existing application and final application) and building said rules into a common database (repository in Fig. 1)" as set forth above.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

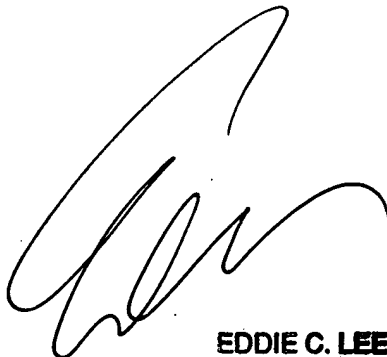
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SPE-2165

